

# Notice of Allowability

Application No.

10/773,946

Applicant(s)

LEUNG, YIU-MING

Examiner

JEAN B. FLEURANTIN

Art Unit

2162

## -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 05/09/2007.
2. ☒ The allowed claim(s) is/are 1-3,5,6,9-13 and 15-23.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All b) ☐ Some\* c) ☐ None of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.


Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
    - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

### Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08), Paper No./Mail Date \_\_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date \_\_\_\_\_
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_

  
Jean Bolte Fleurantin  
Patent Examiner  
Technology Center 2100

**DETAILED ACTION**

1. This is in response to Applicant's communication on 05/09/2007.

The following is the status of claims:

Claims 4, 7, 8 and 14 have been canceled (amendments dated 10/17/2006 and 04/02/2007).

Claims 1-3, 5, 6, 9-13 and 15-23 remain pending for examination.

*Response to Arguments*

Applicant's arguments, filed on 04/02/2007, with respect to the pending claims have been fully considered and are persuasive, and as a result, the amendment(s) to the claims overcome the rejection(s). Therefore, the rejection(s) of last Office action has(have) been withdrawn.

### EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Mr. Stanley J. Gradisar (Reg. No. 42,598) on May 05, 2007.

The application has been amended as follow:

In the claims

Claim 6, line 2, change "system for generating a schemaless XML payload from an XML list, the XML payload" to - - system having a processor and a storage for generating a schemaless XML payload from an XML list, the XML payload - -.

Claim 12, line 1, change "A computer readable medium for storing computer" to - - A computer readable storage medium for storing computer - -.

Claim 13, line 1, change "The computer readable medium of claim 12 wherein the" to - - The computer readable storage medium of claim 12 wherein the - -.

Claim 15, line 1, change "The computer readable medium of claim 12 wherein the" to - - The computer readable storage medium of claim 12 wherein the - -.

Claim 16, line 1, change "The computer readable medium of claim 15 wherein the" to - - The computer readable storage medium of claim 15 wherein the - -.

Claim 17, line 1, change "The computer readable medium of claim 12 wherein" to - - The computer readable storage medium of claim 12 wherein - -.

Claim 20, line 1, change "The computer readable medium of claim 12 wherein the" to - - The computer readable storage medium of claim 12 wherein the - -.

Claim 23, line 1, change "The computer readable medium of claim 12" to - - The computer readable storage medium of claim 12 - -.

***Allowable Subject Matter***

With respect to claims 1-3, 5, 6, 9-13 and 15-23 are allowed over the prior art of record.

The following is an examiner's statement of reasons for allowance:

With respect to claim 1, the claimed features "in a computer system, a method for generating an XML payload from an XML list and independent of a schema associated with the XML list, the method comprising omitting the step of creating if the act of traversing the path does find a node in the branch for each parent/child relationship in the path; the act of creating also includes creating new nodes for the nodes having different properties to extend the branch to a new end node from the current end node" in conjunction with other elements of the independent claims would not have been found to be anticipated or obvious over the prior art made of record. With respect to claim 6, the claimed features "an XML payload generating system in a computing system having a processor and a storage for generating a schemaless XML payload from an XML list, the XML payload generating system comprising adding a node in the node tree for each parent/child relationship in the path that does not have a node in the node tree and not adding a node in the node tree when each parent/child relationship in the path does have a node in the node tree; said node tree module creating new nodes for the nodes having different properties to extend the node tree to a new end node from the current end node" in conjunction with other elements of the independent claims would not have been found to be anticipated or obvious over the prior art made of record. With respect to claim 12, the claimed features "a computer readable storage medium for storing computer instructions for a computer process for generating an XML payload from an XML list for multi-dimensional data independent of the schema of the data, the computer process comprising creating nodes in a node tree representative of the parent/child relationship if nodes for parent child relationships in the current shortest path are missing; omitting the step of creating node in the node tree if nodes for parent/child relationships in the current shortest path are found" in conjunction with other elements of the independent claims would not have been found to be anticipated or obvious over the prior art made of record.

The closest prior art, Steven J. DeRose, relates to XML Linking.

Wan et al., relates to Efficient Supporting XML Query and Keyword Search in Relational Database Systems but fail to teach the above limitations.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

### CONTACT INFORMATION

2. Any inquiry concerning this communication or earlier communications from the examiner should be directed to JEAN B. FLEURANTIN whose telephone number is 571 – 272-4035. The examiner can normally be reached on 7:05 to 4:35.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, JOHN E BREENE can be reached on 571 – 272-4107. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Jean Bolte Fleurantin

Patent Examiner

Technology Center 2100

May 11, 2007